



THE FOLLOWING ORDER
IS APPROVED AND ENTERED
AS THE ORDER OF THIS COURT:

DATED: August 9, 2017



Susan V. Kelley
Chief United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

In re
Marina D. Kolchinsky,
Debtor.

Chapter 13
Case No. 17-22823-svk

ORDER DISMISSING CASE

The Court held a hearing on August 8, 2017 to consider the (1) Objection of Wilmington Savings Fund Society, FSB; (2) Objection of Fifth Third Bank to Confirmation of the Plan; and (3) Debtor's Objection to the Trustee's Motion to Dismiss this Case. The Trustee's attorney, Rebecca Quiroz, Wilmington Savings Fund Society's attorney, Michael Acevedo, Fifth Third Bank's attorney, Brian Perhach, and the Debtor's attorney, William Green, appeared.

The Debtor filed this case on March 31, 2017, and the Trustee filed the Motion to Dismiss on June 21, 2017 stating that the Debtor had not commenced plan payments within 30 days as required by Bankruptcy Code § 1326. Objections to the Motion were due within 21 days, or July 12, 2017. Adding three days for mailing, the objection deadline was July 17, 2017. On July 18, the Debtor's attorney filed an objection stating: "Debtor will restart making payments, and debtor has substantially complied with all other orders of the court." Among other clerical errors, the attorney's objection states that it is "Dated at Milwaukee, Wisconsin this April 22, 2017." Despite the attorney's representation, the Trustee's attorney reported that the Debtor had not made any plan payments in the over four months since this case has been pending.

IT IS THEREFORE ORDERED: this bankruptcy case is dismissed, effective immediately.

IT IS FURTHER ORDERED: the Debtor is cautioned that repeated filing and dismissal of cases is cause for the Court barring the Debtor from future bankruptcy filings. The Debtor should wait to file Chapter 13 until she has sufficient regular income to fund a plan.

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